(2) Applications for the grant of licenses received from such persons on or before the 30th November 1932 will be considered on their merits and if a license be granted, the applicant will be charged only the fee for the current year, no claim being made for arrears ;

(3) Any such persons who do not desire to take out a license or to whom a license cannot be granted will be required to deposit their weapons, if they have not already done so, at the nearest police station. If the weapons are deposited before the 30th November 1932, and a license be not granted, the proceeds which may be derived from their sale will be credited to such persons.

The public are hereby warned that after the 30th November 1932, prosecutions will be launched against any and every person found in unlawful possession of any weapon for which he is required by the rules to take out a license, provided that this period may be extended in the case of any person who would otherwise avail himself of this order, but is prevented from doing so by absence from the Mysore State or for any good and sufficient reasons.

By Order,

N. MADHAVA RAO,
Chief Secretary to Government.

No. 1376—*C.S.* 105-31-3, *dated Bangalore, 27th September* 1932.

The following draft amendments to the rules issued under section 44 of the Mysore Co-operative Regulation, VII of 1918, with notifications No. 326—E. C. 16-18-13 dated 9th July 1920 and No. 2795—E. C. 66-18-14 dated 11th September 1920, are hereby published for general information. All suggestions for additions, alterations or omissions by persons or bodies likely to be affected by these rules may be forwarded so as to reach the Secretary to Government, Development Department, within two months from the date of their publication in the *Gazette* after which they will be taken into consideration by Government.

Add the following as rule 6 A :—

6. A. (i) A person shall not be a member of more than one society of the same kind without the special or general sanction of the Registrar ; and where a person has become a member of two or more societies of the same kind either or both or all of the societies shall be bound to remove him from membership upon a requisition from the Registrar to that effect.

Explanation.—For the purposes of this rule, a combined credited and stores society shall be deemed to be a society under both the kinds, *viz.*, credit and stores. A society lending for house-building purposes only should be considered to be different from an ordinary credit society. A stores society which does not deal in provisions shall be deemed to be different from an ordinary stores society.

6. A. (ii) The decision of the Registrar regarding the kind or kinds of the societies of which a person is or desires to become a member shall be final.

6. A. (iii) Every society shall be bound to furnish, on requisition made therefor through the Registrar, to every other society working in the same city, town or village, a list of its members with their addresses.

Insert the following as rule 10 (ii) and renumber (ii) as rules 10 (iii).

10. (ii) Every society based on unlimited liability shall be bound to keep a statement showing the assets and liabilities of each individual member in such form as may be prescribed by the Registrar at the date of admission as well as on the last day of each co-operative year.

For Rule 16, *substitute* the following :—

16. (i) Any dispute in respect of the business of a society between any person who is or has been a member of the society or claims through any one who is or has been such a member and such society or its committee or any of its officers shall be submitted in the form, if any, prescribed by the Registrar and duly stamped in accordance with the rules, if any, made in this behalf to the Registrar for decision. Provided that the Registrar may, at his discretion, on the application of either of the parties permit the parties to have the dispute decided in civil courts.

(ii) The Registrar on receiving such dispute shall, at his discretion—

(*a*) decide the dispute himself or

(*b*) refer the parties to arbitration.

(iii) When the Registrar refers a dispute to arbitration, he may decide whether the arbitration shall be by one person or by more than one. If the arbitration is by one person, the arbitrator shall be appointed by the Registrar. If the arbitration is by more than one person, the Board of Arbitrators shall consist of three persons of whom one shall be appointed by the Registrar at the time of referring the dispute to arbitration, one by the society and one by the person or persons by or against whom the dispute is made. The nomination referred to above shall be made by the parties concerned within fifteen days after notice by the Registrar failing which the Registrar may himself make the nominations. The person appointed by the Registrar to the Board of Arbitrators shall be the Chairman of the Board.

16. (iv) Where a dispute has been referred by the Registrar to a single arbitrator, he may, for satisfactory reasons, withdraw the dispute from arbitration and decide it himself or refer it to another arbitrator or Board of Arbitrators. Where it has been referred to a Board of Arbitrators, he may withdraw it from such Board and refer it to a single arbitrator or to a Board of Arbitrators or decide it himself.

16. (v) In proceedings under clause (ii) above, the Registrar, Arbitrator or Board of Arbitrators shall have power to summon any person whose attendance is considered necessary either to be examined as a party or to give evidence as a witness or to produce documents for the purposes of deciding the dispute. Every summons shall be in writing in duplicate and shall state the purpose for which it is issued and shall be signed by the Registrar, Arbitrator or Chairman of the Board of Arbitrators issuing it; it shall require the person summoned to appear before the said officer, arbitrator, or Board of Arbitrators at the stated time and place and shall specify whether his attendance is required for the purpose of giving evidence or to produce documents or for both the purposes.

16. (vi) The service of summons under clause (v)

above on any person may be effected in any of the following ways:—

(*a*) by giving or tendering it to such person,

(*b*) if such person is not found, by leaving it at his last known place of abode or business or by giving or tendering the same to some adult member of his family, or

(*c*) if the address of such person is known, by sending the same to him by registered post,

(*d*) if none of these means aforesaid is available, by affixing the same in some conspicuous part of his last known place of abode or business.

16. (vi) (ii) Any party to the dispute may be required by the Registrar, Arbitrator or Chairman of the Board of Arbitrators to effect the service of summons on the other party or parties as also on the witnesses that are summoned on his own behalf.

16. (vii) (*a*) Any person so summoned shall be bound to attend in person as directed in the summons and when the summons directs the production of a document or thing, to cause its production.

(*b*) Any person summoned merely to produce a document or other thing shall be deemed to have complied with the summons by causing the production of such documents or other thing instead of attending personally to produce the same. And all persons summoned to attend shall be bound to state the truth upon any subject respecting which they are examined or make statements and to produce such documents and other things as may be required.

(*c*) If any party to the dispute desires the attendance of witnesses, he shall follow the procedure prescribed by the Code of Civil Procedure, section 160.

16. (viii) In proceedings under this rule, the evidence of the parties and witnesses who attend shall be taken down in full, in writing, in English or in Kanarese, and shall be signed by the Registrar, Arbitrator or persons constituting the Board of Arbitrators and upon the evidence so recorded and upon consideration of any documentary evidence produced by either side, a decision or award as the case may be shall be given in accordance with justice, equity and good conscience and such decision shall be reduced to writing and signed by the Registrar, Arbitrator or persons constituting the Board of Arbitrators as the case may

be. If any party duly summoned to attend fails to appear, the dispute may be heard *ex-parte*. *Ex-parte* decisions or awards may, on sufficient and satisfactory cause for non-attendance being shown, be set aside by the Registrar and the dispute ordered to be disposed of on merits. But applications for setting aside the *ex-parte* decisions should be made within one month from the date of decision or award or from the date of knowledge of such decision or award having been passed. Applications for setting aside *ex-parte* decisions or awards should be disposed of on hearing or on giving reasonable opportunity for being heard to both the parties to the dispute.

16. (ix) In disputes settled by a Board of Arbitrators, the award shall be in accordance with the decision of the majority of the members of the Board where it is not unanimous.

16. (x) The Registrar may, by order, modify or correct an award where the award is upon a matter not referred to arbitration or where the award is imperfect in form or contains any obvious error which can be corrected without affecting the decision of the arbitrators, or where the award contains a clerical mistake or an error arising from an accidental slip or omission.

16. (xi) Where the decision or award involves the payment of money or delivery of grain and such payment is not made within one week or such further time as may be allowed by the Registrar, the Registrar shall send a copy of the decision or award to the Deputy Commissioner for its enforcement who shall thereupon enforce it as if it were a decree for arrears of land revenue. Provided that the Registrar may, on the application of the decree-holder, send such decree for execution to the civil court having jurisdiction over the subject matter of the decree or award, instead of sending it to the Deputy Commissioner as aforesaid whereupon, such court shall execute the decision or award as it were a decree passed by itself. Where the decision or award involves the payment of money and the person or persons against whom the decision or award is made are employed in the permanent or temporary service of the Government of His Highness the Maharaja of Mysore, the Registrar may send the decision or award to the Head of the office or department in which the person or persons are employed for enforcement

and such officer shall execute it as if it were a decree of a civil court.

16 (xii) Any party aggrieved by the award of an Arbitrator or a Board of Arbitrators may appeal to the Registrar within one month of the date of the award. The Registrar may, of his own motion or on the application of a party to a dispute, call for and examine the records and proceedings of any officer subordinate to him or arbitrator or Board of Arbitrators for the purpose of satisfying himself as to the legality or propriety of any decision or order passed and as to the regularity of the proceedings. If in any case it appears that any decision or order so called for should be modified, annulled or reversed, the Registrar may pass such order thereon as to him may seem fit. Any decision passed by the Registrar or an award of the Arbitrator or Board of Arbitrators if not appealed against or the order of the Registrar on appeal shall be final, and conclusive and final as between the parties to the dispute and shall not be called in question in any civil or revenue court.

16. (xiii) The proceedings under this rule shall be deemed to be judicial proceedings within the meaning of sections 193,219 and 228 of the Indian Penal Code and the provisions of the Code of Civil Procedure.

16. (xiv) In proceedings under this rule, no party to a dispute shall be represented by a legal practitioner appearing as such.

For Rule 17 (a), *substitute* the following:—

17. (*a*) The reserve fund of a Society shall be indivisible and no member shall be entitled to claim a specified share therein. Any loss or portion of loss on account of bad debts written off during any year may, with the sanction of the Registrar, be debited to the reserve fund.

Add the new rule 20 *A*:—

20. A. Every society accepting deposits from the public shall be bound to maintain fluid resources according to the scale, if any, which may, from time to time, be fixed by the Registrar.

Add the new rule 21 *A*:—

21. A. Whenever the eRegistrar is of opinion that the Committee of Managemnt of a society does not

function properly, he may, after hearing the objections, if any, of the Committee, place for a specified period or periods the management of that society in the hands of a suitable person or persons appointed by him. The person or persons so appointed shall have all the powers of the Committee so far as they are necessary to safeguard and recover the assets of the society as they stood at the time when he or they assumed charge of the management of the society.

For Rule 25 (l) and (m), *substitute* the following :—

25. (*l*) The Registrar shall fix the amount of fee, if any, to be paid to the Liquidator.

25. (*m*) The Liquidator shall, once a month, submit to the Registrar a report showing the progress made in winding up the affairs of the society and shall, on completion of the liquidation proceedings, convene a general meeting of the members of the dissolved society at which the Liquidator shall summarise his proceedings, and report what sum, if any, remains in his possession after meeting all the liabilities of the society including the share capital and the dividend thereon as per clause (*d*) of rule 17 of these rules to enable the members of the dissolved society to decide as to what objects of local public utility the said sum may be applied. The Liquidator shall submit his final report to the Registrar with a copy of the proceedings of the general meeting referred to above and make over to the Registrar all books, registers and accounts, etc., belonging to the dissolved society and all books and accounts relating to such proceedings kept by him.

By Order,

D. SRINIVASA IYENGAR,
Secretary to Government,
Development Department.